

**MINUTES  
COLUMBUS PLAN COMMISSION MEETING  
FEBRUARY 9, 2011 AT 4:00 P.M.  
MEETING HALL, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members Present:** Bryan Haza (President) Roger Lang, Ryan Brand, Steve Ruble, John Hatter, Ann DeVore, Dave Bonnell, Dave Fisher, Dick Gaynor, Bryan Schroer, and Tom Finke (Bartholomew County Liaison).

**Members Absent:** Tom Wetherald.

**Staff Present:** Jeff Bergman, Laura Thayer, Heather Pope, Thom Weintraut, Rae-Leigh Stark, Sondra Bohn, Derek Naber, and Alan Whitted (City Attorney).

**CONSENT AGENDA**

Minutes of the January 12, 2011 meeting.

Motion: Mr. Lang made a motion to approve the minutes for the meeting. aMs. DeVore seconded the motion and it carried unanimously by voice vote.

**OLD BUSINESS REQUIRING COMMISSION ACTION**

**DP-10-07: Columbus Redevelopment Commission** – a request by the Columbus Redevelopment Commission for site development plan approval for an outdoor sports complex. The property is located southeast of the intersection of Water Street and Lafayette Street, and south of the Louisville and Indiana Railroad, in the City of Columbus and Columbus Township.

Ms. Pope presented the background information on this request.

Mr. Weintraut provided a presentation of the Columbus flood hazard area regulations as they apply to the Outdoor Sports Complex.

Mr. Ed Curtin, Director of the Redevelopment Commission represented the petitioners.

Mr. Curtin stated that five years ago the Redevelopment Commission adopted a Strategic Development Plan that was adopted by the Plan Commission and the City Council. He stated in the plan there were five major goals as follows: (1) Enhance Columbus's Regional appeal by directing appropriate development towards downtown, (2) Remove barriers to future quality Downtown development initiatives, (3) Pursue "vibrant urbanity" by converging markets (live, work, play, and shop) to shape Downtown into an engaging streetscape experience that encourages repeat visits by residents and visitors, (4) Broaden Downtown's roles as a housing market and neighborhood service enter, and (5) reinforce the existing physical fabric of Downtown to better communicate a sense of place including a stronger definition of districts,

gateways, gathering places and relationships to surrounding neighborhoods.

Mr. Curtin stated the outdoor sports complex achieves goals one, three and five of the Strategic Development Plan.

Mr. Curtin stated originally the sports complex was proposed on the north side of State Road 46 West and after talking with State officials this would not be an acceptable location because it was in a floodway area.

Mr. Curtin stated that the current site was then selected and a Sports Complex Master Plan was developed and is consistent with the property that the City does control. He stated a future stadium would be located within the flood fringe area and the baseball diamonds would be completely within the flood fringe area as well. Mr. Curtin stated that the piece of farmland that is located to the west end of the complex is currently being farmed and is owned by another individual.

Mr. Curtin stated it was important to have the proper infrastructure in place before the sports complex was built. He stated that a decision was made to develop only the portion that was in the flood fringe that would not require permitting by the State. Mr. Curtin stated that the only thing that was being proposed at this time was the four baseballs and, softball diamonds, the parking that goes along with that, the concession stand, restrooms, maintenance building and the lighting that is required.

Mr. Curtin stated that based on Columbus' experience with amateur sports the projected economic impact to the City will be about \$3 million annually.

Mr. Curtin stated that improvements to Lafayette Street would hinge on what happens with the proposed adjacent Indoor Sports Complex. He stated the developers were in town last week and provided a schedule of what they anticipate happening with the Indoor Sports Complex. They would expect to have the facility open in September 2012.

Mr. Curtin stated they are working on a number of projects simultaneously. He stated they will be moving dirt to the Outdoor Sports Complex and will have fill material available for the Outdoor Sports Complex, the parking lot for the indoor site and for when they start to decommission the Waste Water Treatment Plant.

Mr. Curtin stated the Redevelopments Commission's goal is to have the ball diamonds ready for play by the spring of 2012 and that would primarily be for the school corporation to use. He stated the facilities would be available for other activities for the community and would expect some tournaments to be played that same year. Mr. Curtin stated the Visitors Center would be responsible for the booking of tournaments and they expect a large turnout for the year 2013.

Mr. Curtin stated that as the Indoor Sports Facility is built the improvements to Lafayette Street would be completed with that project and would not be in conflict with the Outdoor Sports Complex being in use, even in 2012, as the parking on the outdoor site would support whatever events were happening on that particular facility.

Mr. Curtin stated they are looking at a 125,000 square foot indoor facility. It will be a private development and they are looking at soccer, basketball, volleyball, softball and training. This site currently generates \$16,000 in taxes and will generate about \$180,000 in taxes annually if the facility is built

Mr. Ruble asked if there had been any comments regarding the lighting. Mr. Curtin stated they are mindful of the farmland that adjoins the property and stated that lights would be turned off at 11:00 p.m. the same as the other parks in the City.

Mr. Gaynor asked about roadway access. Mr. Curtin stated for what they are proposing and the improvements that will be made it was his opinion that the access is acceptable. He stated alternately, when all the development takes place, there has been talk of extending Washington Street into the site and make improvements to Water Street for a better vehicular circulation system. Mr. Curtin stated the strong pedestrian systems would benefit the area with sidewalks on both sides of the streets. He stated the Bartholomew County Commissioners have agreed that the county and jail lots downtown may be used for overflow parking.

Mr. Gaynor asked if the emergency access was adequate. Mr. Curtin stated that Water Street is already connected to First Street, so there is a second access road into the site.

Mr. Bonnell stated he was concerned about the access issues and the road improvements with the large project that is being proposed in this area and number of people involved. He stated it was important to have the infrastructure in place before the plan was approved. Mr. Bonnell stated this was one of his main concerns with the project. Mr. Bonnell stated it was his opinion that Water Street needed to be improved to bring the access up to code. Mr. Curtin stated it would be important to elevate Water Street so that is out of the impact of flooding. Mr. Bonnell asked why put this project at this location when there were so many issues with access. Mr. Curtin stated the Fire Department had no issues with this site.

Mr. Gaynor asked if the Visitors Center had any commitments for the site for 2012 for tournaments. Mr. Curtin stated it would be difficult to plan definite dates because it was a timing issue. He stated scheduling would play a big part in this and until they are confident, that everything would be done it would be a difficult sell at this point.

Mr. Curtin stated there are many different sporting associations interested in coming to Columbus for tournaments and they will all have every opportunity to use the facilities when it is completed. He stated the Visitors Center is in charge of scheduling and setting up the events.

Mr. Fisher asked if the decision for the Indoor Sports Complex is a "no go" in March or April, 2011 what contingency plan does the Redevelopment Commission have to address the points that Mr. Bonnell has raised in this meeting. Mr. Curtin stated if it were a "no go" decision that the Redevelopment Commission would make the remaining improvements to Lafayette Street sometime in 2012. Mr. Curtin stated it was his opinion that the Indoor Complex would be constructed.

Mr. Haza opened the meeting to the public.

Ms. Sharon Magnus stated it was her opinion that it was too risky to modify the floodplain where the proposed Outdoor Sports Complex is being constructed. She stated further studies should be done to insure the development in these floodplain areas would not heighten the risk of flooding to existing properties in Columbus. She suggested that the project be moved to a different site. Ms. Magnus passed out a letter to the Plan Commission members.

Mr. Chris Griffin stated after the December 2010 Plan Commission meeting that it was his understanding the Redevelopment Commission would be in touch with Griffin Industries to

discuss the site plan. He stated as of today they have not received any contact and therefore they have not received any answers to their questions that were raised at that meeting.

Mr. Griffin stated he was concerned about the people that would trespass on their property from the Sports Complex. He asked what was being done to prevent this from happening. He stated that they would like to see some kind of natural barrier installed around the park so Griffin would be set apart.

Mr. Griffin stated they also have concerns about parking and the overflow parking that could occur down the access drive to Griffin. He expressed concern about the Griffins large trucks having limited access to their business if there was a lot of traffic in the area from the Sports Complex. He stated the odors coming from Griffin and Mariah would not be good for tourism.

Mr. Jeff Healy, P.E. with Banning Engineering spoke on behalf of Griffin Industries.

Mr. Healy stated that the location of the Sports Complex is in the flood fringe area. He stated fill would be allowed in this area for the floodplain. Flood damages keep increasing each year and if development takes place in the flood fringe, the area needs to set aside a compensatory storage area for the floodwater. He stated the meadow south of the sports complex would be a good location for this water storage. Mr. Healy stated this flooding may not affect Griffin Industries, but it will increase the chances of damaging the properties up and down the stream.

Mr. Alan Townsend, Attorney for Griffin Industries stated that the proposed site plan does not meet the decision criteria. He stated that Criteria #1 asked if the proposed development is consistent with the Comprehensive Plan. He stated the adopted Downtown Columbus Strategic Development Plan element shows the sports complex along State Road 46 West and asked if the current location is consistent with the Comprehensive Plan goals and policies related to the floodplain. Mr. Townsend quoted the following policies from the Comprehensive Plan: (1) **POLICY A-2-3:** Ensure that development takes place in a manner, which allows for preservation of farmland, open space, and significant natural features whenever possible and desirable. (2) **POLICY A-2-4:** Discourage subdivision development from interfering with the ongoing agricultural operations in the community, (3) **POLICY A-2-5:** Ensure that the city considers the impacts on agriculture when new development is proposed or infrastructure extended. Mr. Townsend stated that it is never a good idea to fill in floodway or flood fringe. He stated this criterion had not been met.

Mr. Townsend stated Criteria #3 asked if the proposed development would not be injurious to the use and enjoyment of the surrounding property. He stated that there is a need for improved traffic patterns and road improvements and asked and what is going to happen when there is a traffic overflow at the site. If they do not show improvements to Water Street on a site plan this criterion has not been met.

Mr. Townsend stated Criteria #6 states that the proposed development provides pedestrian and vehicle ingress, egress and circulation in a manner that maintains adequate public safety and efficient movements. He stated it was his opinion that the plan was not there yet. He stated if the Plan Commission wants to move forward with this plan at this location, there are some additional considerations to be added. Mr. Townsend asked what is the alternative for the truck traffic in and out of Griffin. He asked if there was a way to build a street on the west side of the Wastewater Treatment Plant. Mr. Townsend stated there was a need to build a fence completely around the facility to separate the uses. He stated this criterion has not been met.

Mr. Townsend stated the site plan before the Plan Commission did not meet the criteria for approval.

Mr. Jim Hollenbaugh, General Manager of Griffin stated that the increase of 1.2 inches of water could have an impact on Griffin. He stated they have equipment that would be affected by that increase in their building now. He stated there is no firm commitments for tournaments and was concerned about safety with foul balls

Mr. Marty Books expressed concern regarding flooding, and asked if traffic lights have been considered at the site. He stated no one has compared the 2008 flood to 2008 maps.

Mr. Max Lemley stated he was concerned about the lack of communication between Griffin and the Redevelopment Commission.

Mr. Haza closed the meeting to the public.

Mr. Curtin stated they would be creating storage upstream at the borrow site and it approximately the same amount they are filling in the flood fringe on the sports site itself.

Mr. Curtin stated the trucks from Griffin have a tendency to use the Water Street entrance to that area and he has not seen many use the Lafayette Street entrance. He stated both streets would be able to handle the traffic.

Mr. Curtin stated the entire softball complex is fenced and the complex is gated, even the corridors between the ball fields. He stated these fields are not different from any other ones. Mr. Curtin stated it is consistent with what is located at Lincoln Park and issues there are no different from the ones there. He stated they have the ability to add additional netting and overall the project is safe.

Mr. Bergman asked Mr. Weintraut to explain the difference between the 100-year flood and the 500-year flood.

Mr. Weintraut stated that the City regulates the 500-year flood areas in addition to the 100-year flood fringe. The same regulations for the 100-year flood fringe apply in the 500 year, so new development must be protected to 2 feet above the 100-year flood elevation. The distinction between the two flood hazard areas is determined by the elevations. There ground in the mapped 500 year areas are higher than the 100-year flood plain but are low enough that water might accumulate in a flood that is greater than 100 feet and up to a 500-year flood. The water would not be of high velocity. The Sport Complex project does not contain any mapped 500-year flood plain, so review was to the 100 years standards.

The Haw Creek experienced a flood that was greater than a 100-year flood event, and probably was greater than a 500-year flood. There were areas flooded that were in the 100 year, 500 year and outside of the mapped flood risk areas. Everroad Park West was an area in the mapped 500-year flood plain and all but two of the houses impacted directly by flood waters.

Most of Wehmeier Addition, with the exception of the southern portion, is in the 100-year floodplain. There were many houses in the middle of the addition that were flood, but there were properties on the northern end, even though they were in the 100 year floodplain, that did not receive flood damage.

After the 2008 flood the Planning Department mapped the homes that were damage according to the degree of damage: severe, major, minor, affected. We compared this damage map to the FEMA flood maps. Most of the flood damage was in areas that were mapped as 100-year flood. Properties shown in the 100 years floodplain developed after the adoption of a flood plain ordinance did not experience damage because they were elevated. Many of the properties developed before the protection requirements did sustain damage. Our current maps were updated in 1997. DNR is in the process of updating the flood maps. These updates will primarily be based on more topography that is accurate and not a result of new flood studies. There will be public hearing as part of the process that will allow interested parties to comment in the changes made to the maps.

Mr. Bergman stated that all of the regulations, information and maps on flood come to the City from the Indiana Department of Natural Resources and FEMA. He stated we are relying on them for the science of flood risk. He stated during the flood of 2008 staff tried to gather as much data as possible so that we could update them when it comes time to use that information we could pass that on to FEMA and DNR.

Ms. Bush asked what year that maps were made. Mr. Weintraut stated the last revision was 1997.

Mr. Lang asked why the conversation between CRC and Griffin Industries did not take place. Mr. Curtin stated they were in the process of gathering the information and was trying to coordinate a meeting with them we they received public information request, which was extensive. He stated their attorney advised it was best to respond to that request by giving them copies of the documents in the way they had asked for it.

Mr. Fisher asked if the Indoor Complex does not proceed would the City go ahead with the Outdoor Sports Complex. Mr. Curtin stated regardless if the Indoor Complex does not happen, they would still like to see the Outdoor Sports Complex move forward at this location.

Mr. Lang ask for comments regarding pedestrian and vehicle traffic and some of the other issues that have been raised at this meeting

Mr. Ruble stated that when they went through the annexation process traffic generation was studied. He stated they determined that from the data volume of traffic that would be generated by this site did not put the roadways in an unacceptable level of service. Mr. Ruble stated some of the streets might not be adequate to carry large trucks with the current payment structure; there is no safety issue involved. He stated the no street parking is enforceable and the cars could be towed. Mr. Ruble stated he did not see an operational issue with the large trucks in the area.

Mr. Gaynor expressed concern regarding the large volume of traffic at this site.

Mr. Lang asked about the times that Griffin was operational. Mr. Hollenbaugh stated there would be a 30% reduction on Saturday of traffic and a 60% reduction on Sunday and the hours are 5:00 a.m. to midnight.

Mr. Fisher stated he had considered this petition than any other than he had the opportunity to hear during his time on the commission. He stated he had learned over time is that we tend to make decisions based on the facts of the matter and that is the appropriate thing to do, but

there are times when we need to consider feelings on the matter as well. He stated he did not understand all of the facts that I have heard, but I do accept them as facts. He stated it was his opinion that they were prepared by knowledgeable people in their fields of expertise.

Mr. Fisher stated that he wanted very much to move this project forward, but there were still some issues that needed to be addressed, such as more public input, and the flooding impact it will have on the community and he would like to see some support from the community members who think this project is an important one. Mr. Fisher stated he still had many lingering questions that need answers. He stated more time was needed for him to make a decision. Mr. Fisher stated that he did not feel right about moving the request forward at this time.

Mr. Haza stated the facts support moving the project forward, but he stated that he was disappointed that there are several unresolved issues between Redevelopment Commission and Griffin Industries. He stated it was his opinion that there was room for compromise and the two sides could communicate and talk about the issues. Mr. Haza stated he would like to see this continued until the March or April 2011 Plan Commission meeting. He stated it was important that all the issues be discussed between the parties at hand.

Mr. Lang stated he would like to see more community support for the project to be considered as proposed. He stated if this was shown it would enhance the success of this request moving forward.

Ms. DeVore stated in her twenty-two years in political office 99% of the time there are more people who are against something who take the time to come to a meeting than those who are for something. She stated this has been presented at Plan Commission December, January and February meetings. Ms. DeVore stated the same questions have been asked and answered repeatedly. She stated the Redevelopment Commission and the City of Columbus have hired high-level professional people to look over the issues that have been questioned.

Ms. DeVore stated that all of staff is highly qualified, from the City Engineer, City Planning staff, Ed Curtin, Director of Redevelopment and people on the Redevelopment Commission who have been part of the community for years that have worked on this project for a long period. She stated she was disappointed that we think there is a ground swell against the project. Ms. DeVore stated that all of the issues have been addressed repeatedly from qualified people and some Commission Members still do not understand this.

Ms. DeVore stated it was her opinion that the Plan Commission's role was to hear the facts of the request and base their decision on what was presented. She stated we have heard the facts and they have been presented at numerous other public meetings. Ms. DeVore stated articles regarding the sports complex have been in the paper numerous times for two years. She stated we need to vote on the facts and not feelings.

Mr. Griffin stated they wanted to work with CRC and keep their business in the community, but need more information about what is happening with the site. He stated their doors were open for discussion.

Mr. Bonnell stated it was his opinion that the Redevelopment Commission could not answer yes to all the criteria questions that have been asked and until the petitioner can do that, the request should be continued.

Mr. Fisher stated Griffin Industries is a very important part of the Columbus community and should be considered as such.

Mr. Brand stated Brand's Incorporated has been in a residential has been a neighborhood area for many years and has shared space with lots of trucks, buses and traffic. He stated the partnership could work. He stated it is about how to figure out answers to the issues. Mr. Brand stated we should look at this as a best case scenario.

Mr. Bergman stated that Griffin had submitted a letter requesting a continuance to the next meeting and was included in the packets. Mr. Bergman asked if this was something, they were still interested in. Mr. Townsend stated that after discussion with Mr. Griffin they would like to withdraw the request.

Mr. Bergman stated that we need to deal with facts in addressing the technical aspects of what is being requested. He stated that we need to look at the past behavior of the Plan Commission on certain issues of what is being proposed and see if it is consistent with past decisions.

Mr. Bergman stated it was his opinion that there has been a lot of progress made by the Redevelopment Commission in terms of information that has been made available since December 2010.

Mr. Bergman stated that staff would recommend approval of the site plan and it should be contingent on the following items: (1) the annexation and rezoning must be approved by the City Council. (2) it is necessary to re-arrange lot lines so all of the Sports Complex is on a single lot and separate from the city utilities pumping station (3) an elevation certificate showing that flood protection grade will be met shall be provided for all structures over 400 sq. feet and that has already been submitted to staff, (4) improvements shown for Lafayette Street (including pavement widening, curb and gutter installation, and sidewalks (but excluding street trees at the discretion of the (Redevelopment Commission) shall be extended to First Street either (1) as part of the construction of the proposed indoor sports complex if construction begins by May 1, 2012 or (2) by the Redevelopment Commission in 2012 (if the indoor sports complex construction has not begun by May 2012, (5) top bank of Haw Creek shall be correctly identified on site plan to ensure the minimum setback is identified to ensure the minimum setback for the Haw Creek stream-side forest, (6) the installation of a 4 inch self draining dry pipe as described by the Fire Department to provide fire protection to the concession stand, and (7) a different street tree species should be planted along the east side of Lafayette Street that is identified to be planted in a small tree lawn than 8 feet in width.

Mr. Curtin stated taking into considerations some of the Commissioners concerns and if the members feel it is appropriate, he could accept to continue this request for another month, possibility two months. He stated the Redevelopment Commission would make an effort to meet with Griffin regarding the issues and have a public meeting for more input from the general public.

Motion: Ms. DeVore made a motion to approve this request subject to all of the staff comments being addressed. Mr. Ruble seconded the motion and it failed with Mr. Haza, Mr. Hatter, Mr. Fisher, Mr. Bonnell, Mr. Brand, Mr. Gaynor, and Mr. Schroer being the nay vote.

Motion: Mr. Fisher made a motion to continue this request to the April, 2011 Plan Commission



meeting to meet the decision criteria and to allow additional time to answer questions raised by the Commission and the public. Mr. Bonnell seconded the motion and it carried with a vote of 8-2 with Ms. DeVore and Mr. Ruble being the nay votes.

#### **NEW BUSINESS REGARDING COMMISSION ACTION**

None

#### **DISCUSSION ITEMS**

Mr. Bergman stated that at a later date it would be important for the Plan Commission members and staff to have a meeting to discuss the flood regulations in the community.

#### **DIRECTOR'S REPORT**

#### **LIASION REPORT**

**ADJOURNMENT: 6:45 p.m.**

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**Bryan Haza, President**

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**Steve T. Ruble, Secretary**